

READ INSTRUCTIONS CAREFULLY
BEFORE PROCEEDING

DOCKET FILE COPY ORIGINAL

FEDERAL COMMUNICATIONS COMMISSION
REMITTANCE ADVICE
FORM 159

Approved by OMB
3060-0589
Page No. 1 of 2

(1) LOCKBOX # 979091		US BANK/FCC MAY 01 2009		SPECIAL USE ONLY	
				FCC USE ONLY	
SECTION A - PAYER INFORMATION					
(2) PAYER NAME (if paying by credit card enter name exactly as it appears on the card) Greenberg Traurig, LLP			(3) TOTAL AMOUNT PAID (U.S. Dollars and cents) \$1,015.00		
(4) STREET ADDRESS LINE NO. 1 2101 L Street, NW					
(5) STREET ADDRESS LINE NO. 2 Suite 100					
(6) CITY Washington			(7) STATE DC	(8) ZIP CODE 20037	
(9) DAYTIME TELEPHONE NUMBER (include area code) 202-331-3100			(10) COUNTRY CODE (if not in U.S.A.)		
FCC REGISTRATION NUMBER (FRN) REQUIRED					
(11) PAYER (FRN) 0008428724			(12) FCC USE ONLY		
IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C) COMPLETE SECTION BELOW FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET					
(13) APPLICANT NAME Orlando Telephone Company, Inc.					
(14) STREET ADDRESS LINE NO. 1 4558 SW 35th Street					
(15) STREET ADDRESS LINE NO. 2					
(16) CITY Orlando			(17) STATE FL	(18) ZIP CODE 32811-6451	
(19) DAYTIME TELEPHONE NUMBER (include area code) 407-996-8900			(20) COUNTRY CODE (if not in U.S.A.)		
FCC REGISTRATION NUMBER (FRN) REQUIRED					
(21) APPLICANT (FRN) 0008410102			(22) FCC USE ONLY		
COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET					
(23A) CALL SIGN/OTHER ID		(24A) PAYMENT TYPE CODE CUT		(25A) QUANTITY 1	
(26A) FEE DUE FOR (PTC) \$1,015.00		(27A) TOTAL FEE \$1,015.00		FCC USE ONLY	
(28A) FCC CODE 1		(29A) FCC CODE 2			
(23B) CALL SIGN/OTHER ID		(24B) PAYMENT TYPE CODE		(25B) QUANTITY	
(26B) FEE DUE FOR (PTC)		(27B) TOTAL FEE		FCC USE ONLY	
(28B) FCC CODE 1		(29B) FCC CODE 2			
SECTION D - CERTIFICATION					
CERTIFICATION STATEMENT I, <u>Mitchell F. Brecher</u> , certify under penalty of perjury that the foregoing and supporting information is true and correct to the best of my knowledge, information and belief.					
SIGNATURE <u>[Signature]</u>			DATE <u>7/21/09</u>		
SECTION E - CREDIT CARD PAYMENT INFORMATION					
MASTERCARD _____ VISA _____ AMEX _____ DISCOVER _____					
ACCOUNT NUMBER _____			EXPIRATION DATE _____		
I hereby authorize the FCC to charge my credit card for the service(s)/authorization herein described.					
SIGNATURE _____			DATE _____		

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Application of Orlando Telephone)	WC Docket No. 09-_____
Company, Inc. and Summit Broadband Inc.)	
for Grant of Authority Pursuant to Section)	
214 of the Communications Act of 1934, as)	
amended, and Section 63.04 of the)	
Commission's Rules to Complete a Transfer)	
of Control of Orlando Telephone Company,)	
Inc., an Authorized Domestic Section 214)	
Carrier, to Summit Broadband Inc.)	

JOINT APPLICATION

I. INTRODUCTION

Orlando Telephone Company, Inc. ("Orlando Telephone") and Summit Broadband Inc. ("Summit Broadband") (collectively, "Applicants"), pursuant to Section 214 of the Communications Act of 1934, as amended (47 U.S.C. § 214) and Section 63.04 of the Commission's Rules (47 C.F.R. § 63.04) respectfully request Commission approval or such authority as may be necessary or required to enable the Applicants to consummate a transaction whereby Summit Broadband will acquire control of Orlando Telephone, a non-dominant competitive resale carrier holding Section 214 authority to provide global resale service as well as blanket authority from the Commission to provide interstate telecommunications services.

Although the proposed transaction will result in a change in the ultimate ownership and control of Orlando Telephone, no assignment of authorizations or transfer of assets or customers will occur as an immediate consequence of the proposed transaction. Orlando Telephone will continue to provide service to its

existing customers, pursuant to its authorizations and in accordance with the same rates, terms and conditions as exist pre-merger. Accordingly, this transaction will have no effect on the rates, terms and conditions or service provided to the customers of Orlando Telephone, and the merger will be transparent to them.

Additionally, Applicants note that Orlando Telephone and Summit Broadband will execute a Stock Purchase Agreement which sets a closing date of June 15, 2009. A condition to closing the transaction is the approval requested by this Application. Applicants have attempted to include as much detail in this Application as possible to support rapid processing within the parameters of the Commission's rules, and the Applicants remain willing to submit any additional information so as to facilitate processing.

In support of this Application, Applicants provide the following information:

II. DESCRIPTION OF THE APPLICANTS

A. Orlando Telephone Company, Inc.

Orlando Telephone is a Florida corporation with its principal place of business at 4558 SW 35th Street, Orlando, Florida 32811-6451. Orlando Telephone is a competitive carrier that provides resold local, interstate and international telecommunications services to commercial and residential subscribers in Florida. Orlando Telephone also provides cable and Internet services.

B. Summit Broadband Inc.

Summit Broadband is a Florida corporation organized for the purpose of acquiring Orlando Telephone. Upon consummation of the proposed stock purchase agreement,

Orlando Telephone will continue to provide resold local, interstate and international telecommunications services to commercial and residential subscribers in Florida.

C. Section 214 Authorizations

(1) Orlando Telephone holds blanket domestic Section 214 authority to provide interstate telecommunications service pursuant to 47 C.F.R. § 63.01. Orlando Telephone also holds international Section 214 authority to provide global or limited global resale services between the U.S. and international points, granted in IB File No. ITC-214-19970919-00564.

(2) Summit Broadband does not hold any FCC authorizations.

III. DESCRIPTION OF THE TRANSACTION

The transaction contemplated by this Application will be accomplished through a stock purchase agreement executed by Orlando Telephone, Herbert H. Bornack (the sole owner of Orlando Telephone), and Summit Broadband. Pursuant to that stock purchase agreement, Orlando Telephone and Mr. Bornack will sell all of the capital stock of Orlando Telephone to Summit Broadband. After the consummation of the proposed stock purchase transaction, Orlando Telephone is expected to be merged with and into Summit Broadband, which will continue the business of Orlando Telephone after the merger is finalized.

IV. INFORMATION REQUIRED BY SECTION 63.04(a)

Pursuant to Commission Rule 63.04(a) (47 C.F.R. § 63.04(a)), Applicants submit the following information in support of their request:

(a)(1): Name, address and telephone number of each Applicant.

Section 214 Holder

Name: Orlando Telephone Company, Inc.
Address: 4558 SW 35th Street
Suite 100
Orlando, Florida 32811-6451
Telephone: (407) 996-8900

Transferor

Name: Herbert H. Bornack
Address: 4558 SW 35th Street
Suite 100
Orlando, Florida 32811-6451
Telephone: (407) 996-8900

Transferee

Name: Summit Broadband Inc.
Address: 2731 Executive Park Drive
Suite 4
Weston, Florida 33331
Telephone: (816) 813-6116

(a)(2) Jurisdiction of each corporate applicant.

Section 214 Holder: Orlando Telephone is a corporation formed under the laws of Florida.

Transferee: Summit Broadband is a corporation formed under the laws of Florida

(a)(3) Correspondence concerning this Application should be sent to:

Mitchell F. Brecher
Greenberg Traurig, LLP
2101 L Street, NW
Suite 1000
Washington, D.C. 20037
(202) 331-3100

(a)(4) Name, address, citizenship and principal business of any person or entity that directly or indirectly owns at least ten percent of the equity of an applicant.

Orlando Telephone (Section 214 Holder)

Name: Herbert H. Bornack (Transferor)
Address: 4558 SW 35th Street
Suite 100
Orlando, Florida 32811-6451
Citizenship: United States
Principal business: Chief Executive Officer of Orlando Telephone
Percentage of equity: 100% interest in Orlando Telephone

Summit Broadband (Transferee)

Name: Richard Wayne Pardy
Address: 10 Waterford Avenue
St. John's, Newfoundland
Canada A1E 2X8
Citizenship: Canadian
Principal business: Chief Executive Officer of Summit Broadband
Percentage of equity: 50% interest in Summit Broadband

Name: Philip Joseph Keeping
Physical address: #5 Shangri-La Condos
Cloisters Drive East
Paradise Island
Bahamas
Mailing address: P.O. Box SS19235
Nassau
Bahamas
Citizenship: Canadian
Principal business: Telecommunications
Percentage of equity: 50% interest in Summit Broadband

(a)(5) Applicants certify that no Applicant is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1998. See 21 U.S.C. § 853a; see also 47 C.F.R. §§ 1.2001-1.2003.

(a)(6) A description of the proposed transaction is set forth in Section III above.

(a)(7) Orlando Telephone provides competitive local exchange telecommunications services, exchange access services and resale interexchange services to customers located in the Orlando, Florida area, including portions of Orange County and Osceola County, Florida.

(i) Orlando Telephone provides resold local, interstate and international telecommunications services to commercial and residential subscribers in Florida.

(ii) Summit Broadband does not provide telecommunications services in any state, or outside the United States, nor does it have any subsidiaries or affiliates that provide telecommunications services.

(a)(8) Applicants respectfully submit that this Application is eligible for streamlined processing pursuant to Section 63.03 of the Commission's Rules (47 C.F.R. § 63.03). This Application is eligible for streamlined processing pursuant to Section 63.03(b)(2)(i) because, immediately following the transaction, Summit Broadband, the Transferee, will have a market share in the interstate, interexchange market of substantially less than ten percent (10%), and Summit Broadband will provide competitive telephone exchange services or exchange access services exclusively in geographic areas served by a dominant local exchange carrier that is not a party to the transaction, and neither Orlando Telephone nor Summit Broadband are dominant with respect to any service.

(a)(9) Orlando Telephone does not hold any other authorizations or licenses from the Commission. Therefore, no other applications are being filed with the Commission

with respect to this transaction, with the exception of related electronic filings with the International Bureau, to which this Application is attached.

(a)(10) No party is requesting special consideration because it is facing imminent business failure.

(a)(11) No waiver requests are being sought in conjunction with this transaction.

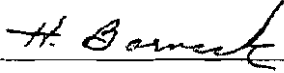
(a)(12) Applicants submit that the transaction described herein will serve the public interest. Under new ownership, Orlando Telephone will continue to provide high-quality resale telecommunications services to consumers, while being able to expand its customer base and provide new and better services as a result of Summit Broadband's greater financial strength. The transfer of control, therefore, will give Orlando Telephone the ability to become a stronger competitor, to the ultimate benefit of consumers.

Following consummation of the proposed stock purchase transaction and merger, Orlando Telephone, through its ownership by Summit Broadband, will continue to offer telecommunications service with no change in the rates or terms and conditions of service. The transaction will be seamless and transparent to customers, and Orlando Telephone will continue to provide high-quality telecommunications services to its customers without interruption. Future changes in the rates, terms or conditions of service to customers, if any, will be undertaken pursuant to the applicable federal and state notice and tariff requirements and pursuant to Orlando Telephone's contractual obligations to its customers.

VI. CONCLUSION

For the reasons stated above, Applicants respectfully submit that the public interest, convenience, and necessity would be served by the Commission's approval of the transfer of control set forth herein. Accordingly, Applicants respectfully request that the Commission grant this Application as expeditiously as possible through its streamlined processing procedures.

Respectfully submitted,

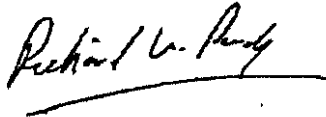
 Herbert H. Bornack Chief Executive Officer Orlando Telephone Company, Inc. 4558 SW 35 th Street Suite 100 Orlando, Florida 32811-6451 (407) 996-8900	 Richard W. Pardy Chief Executive Officer Summit Broadband Inc. 2731 Executive Park Drive Suite 4 Weston, Florida 33331 (816) 813-6116
	 Mitchell F. Brecher Greenberg Traurig, LLP 2101 L Street, NW Suite 1000 Washington, D.C. 20037 (202) 331-3100 <i>Counsel for Summit Broadband Inc.</i>

April 29, 2009

VI. CONCLUSION

For the reasons stated above, Applicants respectfully submit that the public interest, convenience, and necessity would be served by the Commission's approval of the transfer of control set forth herein. Accordingly, Applicants respectfully request that the Commission grant this Application as expeditiously as possible through its streamlined processing procedures.

Respectfully submitted,

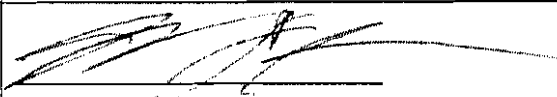
<hr/> <p>Herbert H. Bornack Chief Executive Officer Orlando Telephone Company, Inc. 4558 SW 35th Street Suite 100 Orlando, Florida 32811-6451 (407) 996-8900</p>	 <p>Richard W. Pardy Chief Executive Officer Summit Broadband Inc. 2731 Executive Park Drive Suite 4 Weston, Florida 33331 (816) 813-6116</p>
	<hr/> <p>Mitchell F. Brecher Greenberg Traurig, LLP 2101 L Street, NW Suite 1000 Washington, D.C. 20037 (202) 331-3100</p> <p><i>Counsel for Summit Broadband Inc.</i></p>

April 27, 2009

VI. CONCLUSION

For the reasons stated above, Applicants respectfully submit that the public interest, convenience, and necessity would be served by the Commission's approval of the transfer of control set forth herein. Accordingly, Applicants respectfully request that the Commission grant this Application as expeditiously as possible through its streamlined processing procedures.

Respectfully submitted,

<hr/> <p>Herbert H. Bornack Chief Executive Officer Orlando Telephone Company, Inc. 4558 SW 35th Street Suite 100 Orlando, Florida 32811-6451 (407) 996-8900</p>	<hr/> <p>Richard W. Pardy Chief Executive Officer Summit Broadband Inc. 2731 Executive Park Drive Suite 4 Weston, Florida 33331 (816) 813-6116</p>
	 <hr/> <p>Mitchell F. Brecher Greenberg Traurig, LLP 2101 L Street, NW Suite 1000 Washington, D.C. 20037 (202) 331-3100 <i>Counsel for Summit Broadband Inc.</i></p>

April 29, 2009

ATTACHMENT 1

Answer to Question 10

Response to Section 63.18(c) and Section 63.18(d) of the Commission's Rules

Section 63.18(c) Contact Information for Correspondence

Orlando Telephone Company (Section 214 Holder)

Mitchell F. Brecher
Greenberg Traurig, LLP
2101 L Street, NW
Suite 1000
Washington, D.C. 20037
Telephone: (202) 331-3152
Facsimile: (202) 331-3101
Email: brecher@mgtlaw.com

Herbert H. Bornack (Transferor)

Mitchell F. Brecher
Greenberg Traurig, LLP
2101 L Street, NW
Suite 1000
Washington, D.C. 20037
Telephone: (202) 331-3152
Facsimile: (202) 331-3101
Email: brecher@mgtlaw.com

Summit Broadband Inc. (Transferee)

Mitchell F. Brecher
Greenberg Traurig, LLP
2101 L Street, NW
Suite 1000
Washington, D.C. 20037
Telephone: (202) 331-3100
Facsimile: (202) 331-3101
Email: brecher@mgtlaw.com

Section 63.18(d) Section 214 Authority

Orlando Telephone Company, Inc. has authority under Section 214 of the Communications Act of 1934 to provide interstate service within the United States pursuant to blanket authority under 47 C.F.R. § 64.01, as well as global resale authority granted in IB File No. ITC-214-19970919-00564. The Transferee, Summit Broadband Inc., does not hold any FCC authorizations and does not have any subsidiaries or affiliates that provide services regulated as telecommunications services within or outside of the United States.

Answer to Question 11

Summit Broadband Inc. is a Florida corporation. The following individuals own the equity of Summit Broadband Inc.:

Name: Richard Wayne Pardy
Address: 10 Waterford Avenue
St. John's, Newfoundland
Canada A1E 2X8
Citizenship: Canadian
Principal business: Chief Executive Officer of Summit Broadband, Inc.
Percentage of equity: 50%

Name: Philip Joseph Keeping
Physical address: #5 Shangri-La Condos
Cloisters Drive East
Paradise Island
Bahamas
Mailing address: P.O. Box SS19235
Nassau
Bahamas
Citizenship: Canadian
Principal business: Telecommunications
Percentage of equity: 50%

Answer to Question 13

The transaction contemplated by this application will be accomplished through a stock purchase agreement executed by Orlando Telephone Company, Inc. ("Orlando Telephone"), a Florida corporation, Herbert H. Bornack (Orlando Telephone's current owner), and Summit Broadband Inc. ("Summit Broadband"), a Florida corporation. Pursuant to that stock purchase agreement, Orlando Telephone and Mr. Bornack will sell all of the capital stock of Orlando Telephone to Summit Broadband. After the consummation of the proposed stock purchase transaction, Orlando Telephone is expected to be merged with and into Summit Broadband, which will continue the business of Orlando Telephone after the merger is finalized.

Following consummation of the proposed stock purchase transaction and merger, Summit Broadband (as combined with Orlando Telephone) will continue to offer service with no change in the rates or terms and conditions of service. There will be no interruption or disruption of service to customers and the transfer of control of Orlando Telephone Company will be transparent to customers. Future changes in the rates, terms or conditions of service to customers, if any, will be undertaken pursuant to the applicable federal and state notice and tariff requirements and pursuant to Orlando Telephone's contractual obligations to its customers.

Answer to Question 20

Orlando Telephone and Summit Broadband respectfully submit that this Application is eligible for streamlined processing pursuant to Section 63.12 of the Commission's Rules (47 C.F.R. § 63.12). This Application is eligible for streamlined processing because: (i) Summit Broadband is not affiliated with a dominant foreign carrier; (ii) as a result of the transaction, Summit Broadband will not become affiliated with any foreign carrier; and (iii) none of the scenarios outlined in Section 63.12(c) apply.

Additionally, Orlando Telephone and Summit Broadband will execute a Stock Purchase Agreement which sets a closing date of June 15, 2009. A condition to closing the transaction is the approval requested by this Application. The parties have attempted to include as much detail in the Application as possible to support rapid processing within the parameters of the Commission's Rules, and are willing to submit any additional information to facilitate processing.